



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing to Receive Report of the Cost of Abating Weeds in Front of or on Each Separate Parcel of Land Where the Work Was Done In the City of Lodi

MEETING DATE: October 18, 1995

PREPARED BY: City Clerk

RECOMMENDED ACTION: That following a Public Hearing regarding the matter, the City Council adopt the attached Resolutions confirming the cost of weed abatement in the City of Lodi during 1993, 1994 and 1995 and provide for collection through the San Joaquin County Auditor's office.

BACKGROUND INFORMATION: The City Council will recall that several months ago the Council initiated weed abatement proceedings on various parcels throughout the City. According to the Government Code of the State of California legal noticing, including letters to the subject property owners, publications and postings were made regarding the matter. Public hearings regarding the program were conducted by the City Council.

Ultimately, the City abated weeds on the parcels listed on the next page. The Government Code provides that the City Council shall set a public hearing to receive a report of the cost of abatement in front of or on each separate parcel of land where the work was done by the City. At the time fixed for receiving and considering the report, the legislative body shall hear it with any objections of the property owners liable to be assessed for the abatement. After confirmation of the report by the Council, a copy shall be forwarded to the County Assessor and Tax Collector who shall add the amount of the assessment to the next regular tax bill levied against the parcel for municipal purposes.

APPROVED: _____

THOMAS A. PETERSON
City Manager

REPORT OF COST OF ABATING WEEDS 1995	
Property Address	Cost
167 Commerce Street (APN 049-190-09)	\$300.00
44 Commerce Street (APN 049-190-28)	\$250.00
548 Yokuts Drive (APN 041-460-40)	\$ 75.00
508 South Central (APN 047-342-03)	\$ 60.00
1935 South Stockton Street (APN 062-280-01)	\$650.00
811 South Pleasant Avenue (APN 045-180-19)	\$175.00

Further, the cost of previous abatement on two of the above-listed parcels has not been collected, and should now be assessed to the property owners:

REPORT OF COST OF ABATING WEEDS 1993/94	
Property Address	Cost
508 South Central (APN 047-342-03)	\$200.00 (1993)
811 South Pleasant Avenue (APN 045-180-19)	\$200.00 (1993) \$295.00 (1994)

Therefore, it is recommended that following the Public Hearing the City Council adopt the attached Resolutions confirming the cost of weed abatement in the City of Lodi during 1993, 1994 and 1995 and provide for collection through the San Joaquin County Auditor's office.

Purchasing Officer Harris and Fire Marshal Gorbet will be at the October 18, 1995 City Council meeting to present the staff report and answer any questions the Council may have.

FUNDING: None required.


Jennifer M. Perrin
City Clerk

Attachments

cc: Purchasing Officer
 Fire Marshal

RESOLUTION NO. 95-139

A RESOLUTION OF THE LODI CITY COUNCIL
CONFIRMING THE COST OF WEED ABATEMENT
FOR 1995 AND PROVIDING FOR COLLECTION

BEFORE THE CITY COUNCIL OF THE CITY OF LODI

IN THE MATTER OF:

Resolution Confirming the Cost
of Weed Abatement for 1995 and
Providing for the Collection on
the Regular Tax Bill

RESOLUTION NO. 95-139

The City Council adopted Resolution No. 95-75 on June 7, 1995 electing to proceed under Government Code Section 39501-59588 and declared a public nuisance all weeds growing upon streets, sidewalks and private property in the City;

The City Council adopted Resolution No. 95-82 on June 21, 1995 following the holding of a public hearing, and did overrule objections and determined to proceed with the abatement of weeds growing upon public ways and private property in the City;

The Superintendent has abated the nuisance declared by Resolution No. 95-75 and has kept an account of the cost of abatement and has submitted it to the City Council for confirmation;

NOW, THEREFORE, IT IS FOUND, DETERMINED AND ORDERED AS FOLLOWS:

(1) The City Council ordered the superintendent to abate the nuisance declared by Resolution No. 95-82 by having the weeds, rubbish, refuse and dirt removed and thereafter the superintendent entered upon private property more particularly hereafter described to abate the nuisance and the superintendent kept an account of the cost of abatement and has submitted it to the Council for confirmation in the form of an itemized written report showing the cost and a copy of the report has been posted in the time and manner required by Government Code Section 39575. No objections were filed or made by the property owner liable for assessment for the abatement and the report as set forth in Exhibit "A" is confirmed.

(2) Cost of the abatement as set forth in Exhibit "A" constitutes a special assessment against that parcel and is a lien on the parcel.

(3) The City Clerk is directed to transmit a certified copy of this resolution to the County Assessor, County Tax Collector, County Auditor. The County Auditor is

requested to enter the assessment on the county tax roll and to collect the total amount of the assessment at the time and in the manner as other ordinary municipal taxes. All in the manner provided by Government Code §§39560-39587.

Dated: October 18, 1995

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I hereby certify that Resolution No. 95-139 was passed and adopted by the City Council of the City of Lodi in a regular meeting held October 18, 1995, by the following vote:

AYES: COUNCIL MEMBERS -

NOES: COUNCIL MEMBERS -

ABSENT: COUNCIL MEMBERS -

ABSTAIN: COUNCIL MEMBERS -

JENNIFER M. PERRIN
CITY CLERK

EXHIBIT A

REPORT OF THE STREET SUPERINTENDENT, CITY OF LODI REGARDING COST OF CITY WEED ABATEMENT PROGRAM FOR 1995

Property Address	Cost	Contractor
167 Commerce Street (APN 049-190-09)	\$300.00	S. E. Del Rio 865 East Olive Avenue Lodi, CA 95242
44 Commerce Street (APN 049-190-28)	\$250.00	S. E. Del Rio 865 East Olive Avenue Lodi, CA 95242
548 Yokuts Drive (APN 041-460-40)	\$ 75.00	S. E. Del Rio 865 East Olive Avenue Lodi, CA 95242
508 South Central (APN 047-342-03)	\$ 60.00	S. E. Del Rio 865 East Olive Avenue Lodi, CA 95242
1935 South Stockton Street (APN 062-280-01)	\$650.00	S. E. Del Rio 865 East Olive Avenue Lodi, CA 95242
811 South Pleasant Avenue (APN 045-180-19)	\$175.00	S. E. Del Rio 865 East Olive Avenue Lodi, CA 95242

Signed this 19th day of October, 1995

Jack L. Ronsko
Public Works Director
Street Superintendent

RESOLUTION NO. 95-140

A RESOLUTION OF THE LODI CITY COUNCIL
CONFIRMING THE COST OF WEED ABATEMENT
FOR 1994 AND PROVIDING FOR COLLECTION

BEFORE THE CITY COUNCIL OF THE CITY OF LODI

IN THE MATTER OF:

Resolution Confirming the Cost
of Weed Abatement for 1994 and
Providing for the Collection on
the Regular Tax Bill

RESOLUTION NO. 95-140

The City Council adopted Resolution No. 94-55 on May 18, 1994 electing to proceed under Government Code § 39501-59588 and declared a public nuisance all weeds growing upon streets, sidewalks and private property in the City;

The City Council adopted Resolution No. 94-65 on June 1, 1994 following the holding of a public hearing, and did overrule objections and determined to proceed with the abatement of weeds growing upon public ways and private property in the City;

The Superintendent has abated the nuisance declared by Resolution No. 94-55 and has kept an account of the cost of abatement and has submitted it to the City Council for confirmation;

NOW, THEREFORE, IT IS FOUND, DETERMINED AND ORDERED AS FOLLOWS:

(1) The City Council ordered the superintendent to abate the nuisance declared by Resolution No. 94-65 by having the weeds, rubbish, refuse and dirt removed and thereafter the superintendent entered upon private property more particularly hereafter described to abate the nuisance and the superintendent kept an account of the cost of abatement and has submitted it to the Council for confirmation in the form of an itemized written report showing the cost and a copy of the report has been posted in the time and manner required by Government Code § 39575. No objections were filed or made by the property owner liable for assessment for the abatement and the report as set forth in Exhibit "A" is confirmed.

(2) Cost of the abatement as set forth is Exhibit "A" constitutes a special assessment against that parcel and is a lien on the parcel.

(3) The City Clerk is directed to transmit a certified copy of this resolution to the County Assessor, County Tax Collector, County Auditor. The County Auditor is

requested to enter the assessment on the county tax roll and to collect the total amount of the assessment at the time and in the manner as other ordinary municipal taxes. All in the manner provided by Government Code §§39560-39587.

Dated: October 18, 1995

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I hereby certify that Resolution No. 95-140 was passed and adopted by the City Council of the City of Lodi in a regular meeting held October 18, 1995, by the following vote:

AYES: COUNCIL MEMBERS -

NOES: COUNCIL MEMBERS -

ABSENT: COUNCIL MEMBERS -

ABSTAIN: COUNCIL MEMBERS -

JENNIFER M. PERRIN
CITY CLERK

EXHIBIT A**REPORT OF THE STREET SUPERINTENDENT, CITY OF LODI
REGARDING COST OF CITY WEED ABATEMENT PROGRAM FOR 1994**

Property Address	Cost	Contractor
811 South Pleasant Avenue (APN 045-180-19)	\$295.00	B. P. Landscaping P.O. Box 581 Acampo, CA 95220

Signed this 19th day of October, 1995

Jack L. Ronsko
Public Works Director
Street Superintendent

RESOLUTION NO. 95-141

A RESOLUTION OF THE LODI CITY COUNCIL
CONFIRMING THE COST OF WEED ABATEMENT
FOR 1993 AND PROVIDING FOR COLLECTION

BEFORE THE CITY COUNCIL OF THE CITY OF LODI

IN THE MATTER OF:

Resolution Confirming the Cost
of Weed Abatement for 1993 and
Providing for the Collection on
the Regular Tax Bill

RESOLUTION NO. 95-141

The City Council adopted Resolution No. 93-74 on June 2, 1993 electing to proceed under Government Code § 39501-59588 and declared a public nuisance all weeds growing upon streets, sidewalks and private property in the City;

The City Council adopted Resolution No. 93-82 on June 16, 1993 following the holding of a public hearing, and did overrule objections and determined to proceed with the abatement of weeds growing upon public ways and private property in the City;

The Superintendent has abated the nuisance declared by Resolution No. 93-74 and has kept an account of the cost of abatement and has submitted it to the City Council for confirmation;

NOW, THEREFORE, IT IS FOUND, DETERMINED AND ORDERED AS FOLLOWS:

(1) The City Council ordered the superintendent to abate the nuisance declared by Resolution No. 93-82 by having the weeds, rubbish, refuse and dirt removed and thereafter the superintendent entered upon private property more particularly hereafter described to abate the nuisance and the superintendent kept an account of the cost of abatement and has submitted it to the Council for confirmation in the form of an itemized written report showing the cost and a copy of the report has been posted in the time and manner required by Government Code § 39575. No objections were filed or made by the property owner liable for assessment for the abatement and the report as set forth in Exhibit "A" is confirmed.

(2) Cost of the abatement as set forth is Exhibit "A" constitutes a special assessment against that parcel and is a lien on the parcel.

(3) The City Clerk is directed to transmit a certified copy of this resolution to the County Assessor, County Tax Collector, County Auditor. The County Auditor is

requested to enter the assessment on the county tax roll and to collect the total amount of the assessment at the time and in the manner as other ordinary municipal taxes. All in the manner provided by Government Code §§39560-39587.

Dated: October 18, 1995

I hereby certify that Resolution No. 95-141 was passed and adopted by the City Council of the City of Lodi in a regular meeting held October 18, 1995, by the following vote:

AYES: COUNCIL MEMBERS -

NOES: COUNCIL MEMBERS -

ABSENT: COUNCIL MEMBERS -

ABSTAIN: COUNCIL MEMBERS -

JENNIFER M. PERRIN
CITY CLERK

EXHIBIT A**REPORT OF THE STREET SUPERINTENDENT, CITY OF LODI
REGARDING COST OF CITY WEED ABATEMENT PROGRAM FOR 1993**

Property Address	Cost	Contractor
508 South Central (APN 047-342-03)	\$200.00	S. E. Del Rio 865 East Olive Avenue Lodi, CA 95242
811 South Pleasant Avenue (APN 045-180-19)	\$200.00	S. E. Del Rio 865 East Olive Avenue Lodi, CA 95242

Signed this 19th day of October, 1995

Jack L. Ronsko
Public Works Director
Street Superintendent



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: October 18, 1995

Time: 7:00 p.m.

For information regarding this notice please contact:

Jennifer M. Perrin

City Clerk

Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Wednesday, October 18, 1995, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, to consider the following matter:

- a) Receive report of the cost of City of Lodi Weed Abatement Program for 1995

The Government Code provides that the City Council shall set a public hearing to receive a report of the cost of the abatement of weeds in front of or on each separate parcel of land where the work was done by the City of Lodi. At the time fixed for receiving and considering the report, the legislative body shall hear it with any objections of the property owners liable to be assessed for the abatement. The Council may modify the report if it is deemed necessary. The legislative body shall then confirm the report by resolution. After confirmation of the report by the legislative body, a copy shall be forwarded to the County Assessor and Tax Collector who shall add the amount of assessment to the next regular tax bill levied against the parcel for municipal purposes.

All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

By Order of the Lodi City Council:

Jennifer M. Perrin
Jennifer M. Perrin
City Clerk

167 Commerce Street (APN 049-190-09)	\$300
44 Commerce Street (APN 049-190-28)	\$250
548 Yokuts Drive (APN 041-460-40)	\$ 75
508 S. Central Ave. (APN 047-342-03)	
	(1993) \$200
	(1995) \$ 60
1935 S. Stockton (APN 062-280-01)	\$650
811 S. Pleasant Av. (APN 045-180-19)	
	(1993) \$200
	(1994) \$295
	(1995) \$175

Dated: September 20, 1995

Approved as to form:

John Luebberke
John Luebberke
City Attorney



DECLARATION OF MAILING

Public Hearing Regarding Weed Abatement Program

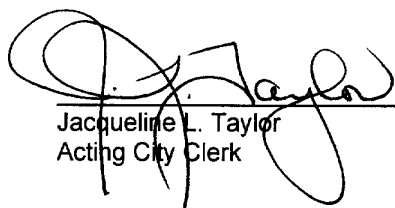
On September 21, 1995 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 21, 1995, at Lodi, California.

Jennifer M. Perrin
City Clerk

A handwritten signature in black ink, appearing to read "Jacqueline L. Taylor", is written over a horizontal line.

Jacqueline L. Taylor
Acting City Clerk

Property Owners of
1935 S. Stockton Street
Lodi, CA 95240

Bob Gorbett
Fire Marshall

Property Owners of
44 Commerce Street
Lodi, CA 95240

Vicky McAthie
Finance Director

Property Owners of
508 South Central
Lodi, CA 95240

Joel Harris
Purchasing Department

Property Owners of
167 Commerce Street
Lodi, CA 95240

Property Owners of
548 Yokuts Drive
Lodi, CA 95240

Property Owners of
811 S. Pleasant Avenue
Lodi, CA 95240

REPORT OF THE STREET SUPERINTENDENT, CITY OF LODI
REGARDING COST OF CITY WEED ABATEMENT PROGRAM FOR 1995

1. Weed Abatement - 811 South Pleasant Avenue, Lodi
Parcel No. (045-180-19)

S. E. Del Rio
865 East Olive Avenue
Lodi, CA 95242

Amount: \$175.00

2. Weed Abatement - 508 South Central Avenue, Lodi
Parcel No. (047-342-03)

S. E. Del Rio
865 East Olive Avenue
Lodi, CA 95242

Amount: \$ 60.00

3. Weed Abatement - 44 Commerce Street, Lodi
Parcel No. (049-190-28)

S. E. Del Rio
865 East Olive Avenue
Lodi, CA 95242

Amount: \$250.00

4. Weed Abatement - 167 Commerce Street, Lodi
Parcel No. (049-190-09)

S. E. Del Rio
865 East Olive Avenue
Lodi, CA 95242

Amount: \$300.00

5. Weed Abatement - 548 Yokuts Drive, Lodi
Parcel No. (041-460-40)

S. E. Del Rio
865 East Olive Avenue
Lodi, CA 95242

Amount: \$75.00

REPORT OF THE STREET SUPERINTENDENT, CITY OF LODI
REGARDING COST OF CITY WEED ABATEMENT PROGRAM FOR 1995
(Page 2)

6. Weed Abatement - 1935 South Stockton Street, Lodi
Parcel No. (062-280-01)

S. E. Del Rio
865 East Olive Avenue
Lodi, CA 95242

Amount: \$650.00

Jack L. Ronsko
Public Works Director

REPORT OF THE STREET SUPERINTENDENT, CITY OF LODI
REGARDING COST OF CITY WEED ABATEMENT PROGRAM FOR 1994

1. Weed Abatement - 811 South Pleasant Avenue, Lodi
Parcel No. (045-180-19)

B. P. Landscaping
P O Box 581
Acampo CA 95220

Amount: \$295.00

Jack L. Ronsko
Public Works Director

REPORT OF THE STREET SUPERINTENDENT, CITY OF LODI
REGARDING COST OF CITY WEED ABATEMENT PROGRAM FOR 1993

1. Weed Abatement - 811 South Pleasant Avenue, Lodi
Parcel No. (045-180-19)

S. E. Del Rio
865 East Olive Avenue
Lodi, CA 95242

Amount: \$200.00

2. Weed Abatement - 508 South Central Avenue, Lodi
Parcel No. (047-342-03)

S. E. Del Rio
865 East Olive Avenue
Lodi, CA 95242

Amount: \$200.00

Jack L. Ronsko
Public Works Director



CITY OF LODI

COUNCIL COMMUNICATION

10/18/95

AGENDA TITLE: Public Hearing to Receive a Report of the Cost of Abating Weeds in Front Of Or On Each Separate Parcel of Land Where the Work Was Done In the City of Lodi During 1992

MEETING DATE: December 16, 1992

PREPARED BY: City Clerk

RECOMMENDED ACTION:

That following a public hearing regarding the matter, the City Council adopt the attached Resolution confirming the cost of weed abatement in the City of Lodi during 1992 and provide for collection through the San Joaquin County Auditor's Office.

BACKGROUND INFORMATION:

Council will recall that several months ago the Council initiated weed abatement proceedings on various parcels throughout the City. According to the Government Code of the State of California legal noticing, including letters to the subject property owners, publications and postings were made regarding the matter. Public hearings regarding the program were conducted by the City Council.

Ultimately, the City abated weeds on the following parcels:

Amount	Address	Assessor Parcel No.
\$145.00	713 South Sacramento Street, Lodi	045-240-07
\$100.00	811 South Pleasant Avenue, Lodi	045-180-19
\$120.00	404 Flora Street, Lodi	047-342-02
\$130.00	706 Garfield Street, Lodi	047-323-03

The Government Code provides that the City Council shall set a public hearing to receive a report of the cost of abatement in front of or on each separate parcel of land where the work was done by the City. At the time filed for recording and publishing the report, the legislative body shall hear it with any objections of the property owners liable to be assessed for the abatement. After confirmation of the report by the Council a copy shall be forwarded to the County assessor and the assessor shall bill the amount of the assessment to the next regular bill levied against the parcel for municipal purposes.

THOMAS A. GRIFFITH
City Clerk

Public Hearing To Receive Cost of Weed Abatement
December 16, 1992
Page Two

It is therefore recommended that following the public hearing that the City Council adopt the attached resolution confirming the cost of weed abatement in the City of Lodi during 1992 and provide for collection through the San Joaquin County Auditor's Office.

FUNDING: None required.

Alice M. Reische
Alice M. Reische
City Clerk

IN THE MATTER OF:

(2) Cost of the abatement as set forth in Exhibit "A" constitutes a special assessment against that parcel and is a lien on the parcel.

Resolution No. 92-193
December 16, 1992
Page Two

(3) The City Clerk is directed to transmit a certified copy of this resolution to the County Assessor, County Tax Collector, County Auditor, on or before December 16, 1992. The County Auditor is requested to enter the assessment on the county tax roll and to collect the total amount of the assessment at the time and in the manner as other ordinary municipal taxes. All in the manner provided by Government Code Sections 39560-39587.

Adopted by the City Council of the City of Lodi on December 16, 1992 by the following vote:

Ayes: Council Members -

Noes: Council Members -

Absent: Council Members -

Alice M. Reimche
City Clerk

REPORT OF THE STREET SUPERINTENDENT, CITY OF LODI
REGARDING COST OF CITY WEED ABATEMENT PROGRAM FOR 1992

1. Weed abatement - 713 S. Sacramento Street, Lodi
Parcel No. (045-240-07)

Ireland Landscape Co.
10111 N. Highway 99
Stockton, CA 95209

Amount -\$145.00

2. Weed abatement - 811 South Pleasant Avenue, Lodi
Parcel No. (045-180-19)

Ireland Landscape Co.
10111 N. Highway 99
Stockton, CA 95209

Amount - \$100.00

3. Weed abatement - 404 Flora Street, Lodi
Parcel No. (047-342-02)

Ireland Landscape Co.
10111 N. Highway 99
Stockton, CA 95209

Amount - \$120.00

4. Weed Abatement - 706 Garfield Street, Lodi
Parcel No. (047-323-03)

S. E. Del Rio, Lodi
c/o Ben Schaffer
122 N. Church Street
Lodi, CA 95240

Amount - \$120.00

John L. Smith
John L. Smith
Public Works Director

Street Superintendent

Date: 10/19/92
Signature: [Signature]
Title: Street Superintendent